IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO. 26 OF 2005

IN

REVIEW APPLICATION NO. OF 2005

IN

SECOND APPEAL NO. 263 OF 2003

Sou. Kedubai w/o. Rajaram Bare .. Applicant

Versus

Sau. Dropadabai Sukdeo Shilamkar & Ors.Respondents

Mr. S.G.Deshmukh i/b. Mr. V.V.Gangurde for the Applicant.

CORAM: D.G.DESHPANDE,J.

DATE : 29th September,2005.

P.C.

1. This is an Application for stay in a Review Application. The Second Appeal of the Appellant was dismissed at the admission stage. Therefore, he has filed the Review Application. There is delay in filing the Review Application. He has also filed an Application for condonation of delay. Notice was issued to the Respondents. However, they have not yet been served.

2. The learned Counsel for the Applicant states that he is likely to be dispossessed. In fact, the order of dismissal of the Appeal was passed in 2003 i.e. more than two years ago.

3. Considering the submissions made by the learned Counsel for the Applicant, the following order is passed :-

. The execution of the decree is stayed, if by the time the order of this Court is passed, the trial Court decree is not executed and possession is not taken.

4. Issue notice in both the Civil Applications, returnable within four weeks.

5. Authenticated copy of this Order be supplied to the parties.

(D.G.DESHPANDE,J.)